



General Assembly

January Session, 2011

Raised Bill No. 1178

LCO No. 4258

04258 _____ PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING THE CARE AND TREATMENT OF STUDENTS WITH DIABETES WHILE AT SCHOOL.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2011*) As used in sections 1 to 4,
2 inclusive, of this act and section 10-212a of the general statutes, as
3 amended by this act:

4 (1) "School-designated care aide" means a school employee who has:
5 (A) Agreed to receive training in diabetes care to assist students in
6 implementing a diabetes care plan; and (B) entered into a written
7 agreement with the parent or guardian of a student with diabetes and
8 the school to provide diabetes care services.

9 (2) "Diabetes care plan" means a written document prepared by a
10 health care provider that identifies the diabetes-related services
11 needed by a student while at school and at school-sponsored activities.

12 (3) "Health care provider" means a physician licensed pursuant to
13 chapter 370 of the general statutes, a physician assistant licensed under
14 chapter 370 of the general statutes or an advanced practice registered

15 nurse licensed under chapter 378 of the general statutes.

16 (4) "School" means a public school, as defined in section 10-183b of
17 the general statutes, or a nonpublic elementary or secondary school,
18 attendance at which meets the requirements of section 10-184 of the
19 general statutes.

20 (5) "School employee" means a person employed by a school or
21 under contract with a school who performs services in connection with
22 a student's diabetes care plan.

23 Sec. 2. (NEW) (*Effective July 1, 2011*) (a) The parent or guardian of
24 any student who has received a diabetes care plan from a health care
25 provider shall be responsible for supplying such plan to the student's
26 school. A diabetes care plan shall be signed by the student's parent or
27 guardian. In the event that a school maintains an individualized
28 education plan or a plan under Section 504 of the Rehabilitation Act of
29 1973 for a student with a diabetes care plan, the diabetes care plan
30 shall be included as a component part of such other plan. A diabetes
31 care plan shall include: (1) A health care provider's instructions
32 concerning the student's diabetes management while at school and
33 school-sponsored activities, (2) copies of any prescriptions relating to
34 the student's diabetes management and instructions concerning the
35 administration of prescribed drugs, and (3) instructions on any insulin
36 administration required by the student.

37 (b) The services and accommodations, if any, contained in a diabetes
38 care plan shall be reasonable, reflect current standards of diabetes care,
39 include appropriate safeguards to ensure that syringes and lancets are
40 disposed of properly, include requirements for daily diet, glucose
41 testing and insulin administration and address treatment of
42 hypoglycemia, hyperglycemia and emergency situations.

43 (c) When presented with a diabetes care plan, a school principal or
44 school nurse shall confer with the parent or guardian of the student
45 who is the subject of the plan and any school-designated care aide

46 concerning the plan's implementation. A diabetes care plan shall
47 specify the procedures contained in the plan that may be delegated to a
48 school-designated care aide. When implementing a diabetes care plan,
49 a school shall be responsible for maintaining a complete written record
50 relating to the implementation of the plan. The record shall include the
51 results of any glucometer readings taken during the school day by a
52 school nurse or school-designated care aide, as well as a record of any
53 insulin administered during the school day by a school nurse or
54 school-designated care aide. The plan shall also include provisions that
55 address required communication between school personnel and the
56 parent or guardian of a student, or the student's health care provider
57 concerning any issues that may affect implementation of the plan.

58 (d) A parent or guardian of a student who is the subject of a
59 diabetes care plan shall be responsible for providing the school with a
60 copy of any modification of the plan. Any such plan modification
61 presented to the school shall be prepared by a health care provider,
62 and signed by the student's parent or guardian and health care
63 provider.

64 Sec. 3. (NEW) (*Effective July 1, 2011*) A school-designated care aide
65 may perform any of the duties necessary to implement a student's
66 diabetes care plan. In the event that a student's consumption of an
67 unexpected snack or meal while at school requires a school-designated
68 care aide to administer a dose of insulin not contemplated in the
69 student's diabetes care plan, to the extent practicable, prior to
70 administering the insulin, the school-designated care aide shall consult
71 with the student's parent or guardian, health care provider or school
72 nurse to confirm that the insulin dose to be administered is
73 appropriate given the number of carbohydrates ingested and the
74 student's blood glucose level as determined by a glucometer reading.
75 A school-designated care aide shall carry out all assigned duties in
76 accordance with the training described in section 4 of this act.

77 Sec. 4. (NEW) (*Effective July 1, 2011*) (a) Not later than January 1,

78 2012, the Department of Education, in conjunction with the
79 Department of Public Health, shall develop and make available to each
80 local and regional board of education guidelines for the management
81 of students with diabetes. The guidelines shall include, but need not be
82 limited to: (1) Education and training for school personnel on the
83 management of students with diabetes, including training related to
84 the permissible duties of school-designated care aides pursuant to
85 subsection (d) of section 10-212a of the general statutes, as amended by
86 this act, (2) procedures for identifying when a student with diabetes
87 needs immediate or emergency medical care, and (3) protocols for
88 notification of a student's parent, guardian or health care provider in
89 the event of an emergency situation.

90 (b) Not later than July 1, 2012, each local and regional board of
91 education shall: (1) Implement a plan based on the guidelines
92 developed pursuant to subsection (a) of this section for the
93 management of students with diabetes enrolled in the schools under
94 its jurisdiction; (2) make such plan available on such board's web site
95 or the web site of each school under such board's jurisdiction, or if
96 such web sites do not exist, make such plan publicly available through
97 other practicable means as determined by such board; and (3) provide
98 notice of such plan in conjunction with the annual written statement
99 provided to parents and guardians as required by subsection (b) of
100 section 10-231c of the general statutes. The superintendent of schools
101 for each school district shall annually attest to the Department of
102 Education that such school district is implementing such plan in
103 accordance with the provisions of this section.

104 (c) Not later than July 1, 2012, each local and regional board of
105 education shall have developed and implemented a program to
106 provide required training for any person who wishes to serve as a
107 school-designated care aide. Such training shall address issues that
108 include, but are not limited to: (1) Checking blood glucose and
109 recording the results of such checks, (2) recognizing and responding to
110 the symptoms of hypoglycemia, (3) recognizing and responding to the

111 symptoms of hyperglycemia, (4) estimating the number of snack or
112 carbohydrates in snacks or meals, (5) administering insulin and
113 recording insulin administrations, (6) emergency response protocols,
114 and (7) the role of the school-designated care aide when implementing
115 a diabetes care plan and maintaining records relating to the
116 implementation of such plan.

117 (d) Training provided pursuant to this section shall be consistent
118 with any guidelines published by the United States Department of
119 Health and Human Services. To the extent feasible, training shall be
120 provided by health care providers with expertise in the care and
121 treatment of diabetes, including, but not limited to, school nurses
122 possessing such expertise.

123 Sec. 5. Subsections (c) and (d) of section 10-212a of the general
124 statutes are repealed and the following is substituted in lieu thereof
125 (*Effective July 1, 2011*):

126 (c) The State Board of Education, in consultation with the
127 Commissioner of Public Health, shall adopt regulations, in accordance
128 with the provisions of chapter 54, determined to be necessary by the
129 board to carry out the provisions of this section, including, but not
130 limited to, regulations that (1) specify conditions under which a coach
131 of intramural and interscholastic athletics may administer medicinal
132 preparations, including controlled drugs specified in the regulations
133 adopted by the commissioner, to a child participating in such
134 intramural and interscholastic athletics, (2) specify conditions and
135 procedures for the administration of medication by school personnel to
136 students, and (3) specify conditions for self-administration of
137 medication by students, including permitting a child diagnosed with:
138 (A) Asthma to retain possession of an asthmatic inhaler at all times
139 while attending school for prompt treatment of the child's asthma and
140 to protect the child against serious harm or death provided a written
141 authorization for self-administration of medication signed by the
142 child's parent or guardian and an authorized prescriber is submitted to

143 the school nurse; [and] (B) an allergic condition to retain possession of
144 an automatic prefilled cartridge injector or similar automatic injectable
145 equipment at all times while attending school for prompt treatment of
146 the child's allergic condition and to protect the child against serious
147 harm or death provided a written authorization for self-administration
148 of medication signed by the child's parent or guardian and an
149 authorized prescriber is submitted to the school nurse; and (C)
150 diabetes to (i) check blood glucose levels when needed, (ii) administer
151 insulin with an insulin delivery system used by the student, (iii) treat
152 hypoglycemia and hyperglycemia and otherwise attend to the care and
153 management of his or her diabetes, and (iv) possess the supplies and
154 equipment necessary to monitor and treat diabetes, including, but not
155 limited to, glucometers, lancets, test strips, insulin, syringes, insulin
156 pens and needle tips, insulin pumps, infusion sets, alcohol swabs, a
157 glucagon injection kit and glucose tablets. Any activity undertaken by
158 a student pursuant to this subparagraph shall be in accordance with
159 the student's diabetes care plan. The regulations shall require
160 authorization pursuant to: [(i)] (I) The written order of a physician
161 licensed to practice medicine in this or another state, a dentist licensed
162 to practice dental medicine in this or another state, an advanced
163 practice registered nurse licensed under chapter 378, a physician
164 assistant licensed under chapter 370, a podiatrist licensed under
165 chapter 375, or an optometrist licensed under chapter 380; and [(ii)] (II)
166 the written authorization of a parent or guardian of such child.

167 (d) [(1)] With the written authorization of a student's parent or
168 guardian, and [(2)] pursuant to the written order of [the student's (A)]
169 (1) a physician licensed to practice medicine, [(B)] (2) an optometrist
170 licensed to practice optometry under chapter 380, [(C)] (3) an advanced
171 practice registered nurse licensed to prescribe in accordance with
172 section 20-94a, or [(D)] (4) a physician assistant licensed to prescribe in
173 accordance with section 20-12d, a school nurse and a school medical
174 advisor may jointly approve and provide general supervision to an
175 identified school paraprofessional, including a school-designated care
176 aide, to (A) administer medication, including, but not limited to,

177 medication administered with a cartridge injector, to a specific student
178 with a medically diagnosed allergic condition that may require prompt
179 treatment in order to protect the student against serious harm or death;
180 (B) administer insulin; and (C) program a student's insulin delivery
181 system or supervise a student who programs his or her insulin
182 delivery system. For purposes of this subsection, "cartridge injector"
183 means an automatic prefilled cartridge injector or similar automatic
184 injectable equipment used to deliver epinephrine in a standard dose
185 for emergency first aid response to allergic reactions; and "insulin
186 delivery system" means a portable device used by individuals with
187 diabetes that injects insulin at programmed intervals in order to
188 regulate blood sugar levels.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	New section
Sec. 2	<i>July 1, 2011</i>	New section
Sec. 3	<i>July 1, 2011</i>	New section
Sec. 4	<i>July 1, 2011</i>	New section
Sec. 5	<i>July 1, 2011</i>	10-212a(c) and (d)

Statement of Purpose:

To ensure that students with diabetes receive proper medical care while at school.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]